

Message

From: Tyler.Fortunati@deq.idaho.gov [Tyler.Fortunati@deq.idaho.gov]
Sent: 2/8/2017 8:45:19 PM
To: Levo, Brian [Levo.Brian@epa.gov]
CC: Stoll, Pat [STOLL.PAT@epa.gov]; Kim, Stacey [Kim.Stacey@epa.gov]; mary.anne.nelson@deq.idaho.gov; Lopez, Maria [Lopez.Maria@epa.gov]
Subject: RE: Potential CGP issues [WARNING: SPF validation failed]

Brian,

I'll see what I can coordinate and get back with you.

Thanks,

Tyler Fortunati, *MSIH, REHS*
Compliance, Inspection, and Enforcement Lead



State Water Quality Division – IPDES Program

1410 N. Hilton St., Boise, ID 83706

Direct: (208) 373-0140

Fax: (208) 373-0576

Email: tyler.fortunati@deq.idaho.gov

Web: <http://www.deq.idaho.gov/water-quality/ipdes/>

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From: Levo, Brian [mailto:Levo.Brian@epa.gov]
Sent: Wednesday, February 08, 2017 12:18 PM
To: Tyler Fortunati
Cc: Stoll, Pat; Kim, Stacey; Mary Anne Nelson; Lopez, Maria
Subject: RE: Potential CGP issues [WARNING: SPF validation failed]

Hi Tyler,

I'd like it if IDEQ could conduct an NPDES inspection at this site. I know there are limitations on inspector availability in Pocatello, but I ask that you consider sending someone from the Twin or state office. From talking with Greg, conditions at the site may not currently be ideal for a site visit (i.e. frozen/under snow), so there will need to be some coordination on when the best time to visit should be.

Brian Levo
NPDES Enforcement Coordinator
Water and Wetlands Enforcement Unit
U.S. Environmental Protection Agency - Region 10
1200 6th Avenue, Suite 900, MS OCE-101, Seattle, WA 98101
Phone: (206) 553-1816, Fax: (206) 553-4743

From: Levo, Brian
Sent: Monday, February 06, 2017 3:55 PM
To: 'Tyler.Fortunati@deq.idaho.gov' <Tyler.Fortunati@deq.idaho.gov>
Cc: Stoll, Pat <STOLL.PAT@epa.gov>; Kim, Stacey <Kim.Stacey@epa.gov>; Lynn.Vanevery@deq.idaho.gov; mary.anne.nelson@deq.idaho.gov; Lopez, Maria <Lopez.Maria@epa.gov>
Subject: RE: Potential CGP issues [WARNING: SPF validation failed]

Hi Tyler,

Yes, he and I talked a little about this site and he sent those follow-up items. I'll let you know if any more questions come-up or we need anything else on this site.

Thanks,

Brian Levo
NPDES Enforcement Coordinator
Water and Wetlands Enforcement Unit
U.S. Environmental Protection Agency - Region 10
1200 6th Avenue, Suite 900, MS OCE-101, Seattle, WA 98101
Phone: (206) 553-1816, Fax: (206) 553-4743

From: Tyler.Fortunati@deq.idaho.gov [<mailto:Tyler.Fortunati@deq.idaho.gov>]
Sent: Monday, February 06, 2017 3:10 PM
To: Levo, Brian <Levo.Brian@epa.gov>
Cc: Stoll, Pat <STOLL.PAT@epa.gov>; Kim, Stacey <Kim.Stacey@epa.gov>; Lynn.Vanevery@deq.idaho.gov;
mary.anne.nelson@deq.idaho.gov; Lopez, Maria <Lopez.Maria@epa.gov>
Subject: RE: Potential CGP issues [WARNING: SPF validation failed]

Brian,

I see that Greg Mladenka from our Pocatello office forwarded you the attached information earlier today. It sounds like this is the only site visit for this issue that has occurred on our end at this point. Our Pocatello office does not have a CWA NPDES credentialed inspector at this time as you are aware. We will be onboarding one around June or July of this year in that region (credential training will take a couple months past that). If you need additional information, follow-up, or have questions please let me know and I'll see what we can do.

Sincerely,

Tyler Fortunati, *MSIH, REHS*
Compliance, Inspection, and Enforcement Lead



State Water Quality Division – IPDES Program
1410 N. Hilton St., Boise, ID 83706
Direct: (208) 373-0140
Fax: (208) 373-0576
Email: tyler.fortunati@deq.idaho.gov
Web: <http://www.deq.idaho.gov/water-quality/ipdes/>

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From: Levo, Brian [<mailto:Levo.Brian@epa.gov>]
Sent: Monday, January 30, 2017 4:46 PM
To: Tyler Fortunati
Cc: Stoll, Pat; Kim, Stacey; Lynn Vanevery
Subject: FW: Potential CGP issues

Hi Tyler,

We received a call last week that the DEQ Pocatello office has already done some follow-up on (e-mails below). I wanted to see what the follow-up has been at this point (e.g. an inspection? Site visit? Drive-by?) and see if we could get additional details (i.e. any report/photos/etc.) about the conditions on-site from whoever went out there.

Thanks,

Brian Levo
NPDES Enforcement Coordinator
Water and Wetlands Enforcement Unit
U.S. Environmental Protection Agency - Region 10
1200 6th Avenue, Suite 900, MS OCE-101, Seattle, WA 98101
Phone: (206) 553-1816, Fax: (206) 553-4743

From: Stoll, Pat
Sent: Monday, January 30, 2017 7:50 AM
To: Levo, Brian <Levo.Brian@epa.gov>; Kim, Stacey <Kim.Stacey@epa.gov>
Cc: Ogle, Kimberly <Ogle.Kimberly@epa.gov>
Subject: FW: Potential CGP issues

Hello Brian & Stacey,

Please seem my email below regarding a potential CGP violation in eastern Idaho.

Pat

P.S. Stacey – glad to hear you are back. I hope everything is going well!

Patrick Stoll, Environmental Scientist
Multimedia Inspection and RCRA Enforcement Unit
U.S. EPA Region 10, Idaho Operations Office
950 W. Bannock St., Suite 900
Boise, ID 83702
Phone: (208) 378-5772
Email: stoll.pat@epa.gov

On Jan 27, 2017, at 2:35 PM, Stoll, Pat <STOLL.PAT@epa.gov> wrote:

Hello Kim,

Last week I received a call from Lorelei Adams with Syman Erosion and Sediment Control (Syman). She had received a call from a new solar energy company located near American Falls and the American Falls Reservoir (an impoundment on the Snake River, SW of Pocatello, in eastern Idaho). The solar company was looking for CGP advice concerning notification requirements in the event of a discharge to the American Falls Reservoir. According to Ms. Adams, the company was particularly concerned about discharges that might exceed any Idaho Water Quality Standards. Ms. Adams called to ask if I had any suggestions beyond the requirements in the CGP (according to Ms. Adams, the solar energy company was not a Syman client at that time).

I have since learned that the solar energy company, American Falls Solar, LLC (AFS) does have stormwater coverage under the CGP (IDR12AO85). The California-based company began construction in the fall of 2016 with expectations that the project would be complete by winter. The AFC representative that called Ms. Adams reportedly told her that a rain-on-snow event, during a brief warmup, had caused run-on from surrounding snowmelt to inundate their site. The AFS personal were concerned that this run-on and subsequent runoff would flow into a drainage ditch leading to the nearby Reservoir (see attached Google Earth aerial photos recorded before the start of construction at AFS).

I told Ms. Adams that the discharge itself might not be a violation if AFS had installed, maintained, and managed all the appropriate erosion and sediment controls (including run-on controls) and was in compliance with all the other requirements of the CGP. Even if the facility had the appropriate BMPs in place, I explained that the facility would still be subject to the reporting requirements of Part 5.2.1.2 of the CGP. I told Ms. Adams that the company should also call IDEQ's Pocatello office to report a release.

The day after the call from Lorelei, temperatures in eastern Idaho dropped back well below freezing, reducing the likelihood of a discharge for the time being. I decided to call Lynn Van Every, the water quality manager in IDEQ's Pocatello office, to ask if he had heard anything from AFS. He told me that he had, in fact, heard from the company the previous day. He did send someone from his staff out to the site to evaluate the conditions. The staff person reportedly claimed that there did appear to be a potential for a discharge to the nearby drainage ditch when temperatures once again rise above freezing. The staff person seemed to think that AFS could have done a better job implementing more aggressive BMPs. The staff person also mentioned that it would be difficult to separate the impacts of runoff from AFS from other potential sources nearby.

Concerning the other sources, you will note from the GE photos I have attached that there are at least two AFOs located near the same drainage ditch. It has been reported to the IOO that the record amount of snow that fell in the southern part of the state this winter is causing many of the AFO manure lagoons to overtop. These sites, and many others, are very likely to be a problem this spring.

Patrick Stoll, Environmental Scientist
Multimedia Inspection and RCRA Enforcement Unit
U.S. EPA Region 10, Idaho Operations Office
950 W. Bannock St., Suite 900
Boise, ID 83702
Phone: (208) 378-5772
Email: stoll.pat@epa.gov

<Am_Falls_Slr_overview.jpg>

<Am_Falls_Slr_mid.jpg>

<Am_Falls_Slr_CU.jpg>